

Judge Coughenour

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,**Plaintiff,****v.****ALAN GOMEZ MARENTES,****Defendant.****NO. CR20-092JCC****REPLY FOR
MOTION/MEMO FOR
TEMPORARY RELEASE**

COMES NOW **Alan Gomez Marentes**, by and through counsel, Robert Goldsmith, and files this Reply for his Motion For Temporary Release under 18 U.S.C. §3142(i).

FACTS

The emails in Government's Sealed Exhibits 1 and 2, were not provided as part of defendant's medical records. However, they support Gomez's position that nothing will be done about his condition at least while he is at Seatac FDC, if not longer.

To begin with, this Court was promised a review of his condition back in June, which implied to this Court that they were planning on remedying his condition. In fact, on July 27, 2021, BOP did contact someone (presumably a specialist) and noted this response: "I called and spoke to the scheduling department

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1 and they state that after reviewing the records; the Dr. is still willing to see him “once he is released.”” At p.
2 9 of 11 of Gov’t Sealed Exh. 1 and 2. Clearly they are spinning their wheels.

3 Back on February 22, 2021, a BOP doctor wrote: “Alan Gomez is pretrial so we are not sure when
4 he will get out. This is not an urgent matter. I think we hold off for now and revisit this in 3-6 months.” At p.
5 5 of 11 of Gov’t Sealed Exh. 1 and 2. It has now been a year since he was seen at Virginia Mason Hospital.
6 Nothing has changed except the trial date and any remedy for the defendant is not in sight.
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8 The Government’s concern that Gomez will flee is not founded on any facts short of a presumption.
9 He is more than willing to be subject to any and all conditions to assure his presence during the surgery and
10 rehabilitation. And his brother Ovet Gomez, who resides in King County, is willing to sign a third party
11 agreement as well.
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13 Dated 15 Nov. 2021.

Respectfully submitted,

16 /s/ R. Goldsmith

17 Robert Goldsmith, WSBA #12265
18 Email: Bobgoldsmith52@gmail.com
19 Attorney for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of Nov., 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent electronically to the Assistant U.S. Attorney, counsel of record for the Government.

DATED this 15th day of Nov., 2021

/s/ R. Goldsmith
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Attorney for defendant